IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 27661 of 2007(R)

PETITIONER:

G. RAVINDRAN,
FIRST GRADE SURVEYOR (RETIRED), OFFICE OF THE SUPERINTENDENT OF SURVEY, ATTINGAL, THENGUVILA VEEDU, AYILOORKONAM, VENJARAMOODU P.O., THIRUVANANTHAPURAM.

BY ADV. SMT.I.SHEELA DEVI

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF FINANCE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. ACCOUNTANT GENERAL (A & E),
ACCOUNTANT GENERAL'S OFFICE, THIRUVANANTHAPURAM.

3. DIRECTOR OF SURVEY & LAND RECORDS,
THIRUVANANTHAPURAM.

BY ADV. SRI. BIJOY CHANDRAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C) NO. 27661 of 2007

Dated this the 18th day of September, 2007

JUDGMENT

The petitioner retired from service as First Grade Surveyor on 31.05.2002. The grievance raised by him in this writ petition relates to the refusal on the part of the respondents to re-fix his pay in the scale of 100-210, applicable to the post of Surveyor Grade II pursuant to the Pay Commission Report in the year 1973. Apparently, a lower scale of pay was adopted in the case of II Grade Surveyor who had not passed the Surveyors test. This anomaly was found to be illegal and it was directed to be rectified by this Court in Ext.P1 judgment dated 01.12.1998. The view taken by this Court in Ext.P1 and certain other cases was affirmed by the Division Bench in Ext.P6 judgment. Claiming parity in treatment, the petitioner had approached Director of Surveyor. The reply given was that the benefit of fixation of pay in the scale 100-200 is given only to such persons who

approached this Court. The petitioner was not a party in such proceedings and therefore the same cannot be given to the petitioner.

2. The petitioner has taken up this matter before the Director under Ext.P8. In my opinion, the request made by the petitioner as evidenced by Ext.P8 is to be considered in the light of Ext.P6 judgment, which has been affirmed by the Supreme Court under Ext.P7. Necessary decision in this regard may be taken by the 3rd respondent on Ext.P8 within a period of three months from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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